

WHERE WASHINGTON BUCKS THE TIGER

What Are Little Things Like Laws When "Jack" Heath's Floating Gambling House Can Leave the Jurisdiction of Three Governments by Moving 50 Feet?

the Capital Policemen Are
Willing to Direct the Natives
Visitors to the Launch That
Will Give Them a Fine Ride
Down the River With a Chance
To Lose Their Money at the
End of the Run.

BY JOHN S. MOSBY JR.

NEVER Virtue, in convention assembled, wants to get a two-column head in the newspapers, she rises in her seat and turning to the reporters' table, exclaims:

At the National Capital, once the abiding of virtuous statesmen forefathers, now Babylon, and degenerate Rome rolled into one mass of vice, a trinity of vice, where shame stalks unadorned and the rattle of the dicebox is heard beneath the Goddess of Liberty; where"—and a hundred words more of the same kind for to-day's paper, all of which gives the convention a free advertising and brings a smile of amusement to the face of the Washingtonian, weary with the

CONVENTION.

ington is not a new Jerusalem; neither is Babylonia. He who merely sips his vice and find a sip handy; but he who wants it must hunt for it and hunt long and deep. The old days so regretfully—and ignorantly—recall a recent convention at Atlantic City—days, yes, when gambling ran "wide open" and a reported minister to Russia, hurrying urgently must needs delay his departure because the shore he had lost all his expense money playing in the public gambling room of the city's principal gaming good old days have indeed passed, and who now gambles inside the city limits must go to his own game and hold executive session behind doors.

ough barred from the city itself, the energy man has provided an outlet for the gambling of the Washingtonian; an outlet where the great gambler can indulge his passion to the limit as openly as in any roaring mining town of the Rocky mountains. He does not conduct a Monte Carlo within the city, but the glitter is short and the means of transit cheap and luxurious. How this man can run a gaming house within sight of the laws of Virginia, Maryland and the laws of Columbia are so stringent against every gambling, forms a unique chapter in the character of our national make-up, and an commentary on the glorious uncertainties of life. Here is the story of Jack Heath's Monte Carlo, its attractions and pitfalls, its struggles, its triumphs and its final triumph.

reaches of the Potomac river, just below Alexandria, Va., which lies on the opposite side of the river about eight miles below Washington, the craft rides lazily at anchor. It resembles an ear barn squatting on a mud scow. At last a narrow porch serves as a landing stage, and it floats idly there, without visible occasion for its stay in life, ignoring the busy craft that flit past, pneumatic-looking old hermit of a boat. Then one friend, a jaunty little steamer, that comes busily puffing down from Washington deposits two or three score of men upon the porch, and with a parting puff, as though it were well, so long for a while; I've got to hurry to another load," then comes churning away back

any old tub is the temple of the Goddess of
who, banished from either shore, has reared
and heno and other forms of her wor-
the bosom of the intervening waters. It is in
the poetic spot, in the midst of the broad,
and—, as will be seen later, quite safe
overing sheriffs. The mornings are dull, but
afternoons and evenings the little steamer
load upon load of devotees, bearing votive
in the shape of the week's salary or a
of an intimate friend. The anchored craft,
of fortune, is called the Ark; the ministering
er is the Bartholdi, and the high priest of
craft is known to the sporting people of
and the adjacent sheriffs as "Jack".

nesses Washingtonian, be he congressman or not, who yearns to worship at the Shrine of "make a killing at keno" or "do business papers," as the cab driver would put it—beast of an afternoon to the wharf at the foot of Second Street, Southwest. There, under the nose of the big steamers, the little Bartholdi is waiting for him. He does not have to slink through a maze of alleys or make some mystic sign to the young man who is the gangplank of the little craft. It is all so simple. He goes to a camp meeting. The young man will be glad to afford you as you trip up the plank to the deck as one of others, alike on pleasure bent, but not on business. It is presumed that, if you are going to gamble and trouble to go down to the Ark, you will be a gambler and you've "got the stuff;" and if you are not that indispensable requisite, you are not worth the trouble. At Jack Heath's—as long as the "stuff" is there, there are no subterfuges of "club" or "Business Association" with cards of admission and no bluffs to conceal the purpose of the trip or the nature of the Bartholdi. Jack Heath would scorn the idea of deception. The Ark is a gambling house; and he goes down on the Bartholdi go down to the Ark, and there is no secrecy about it. Any policeman who tries to direct you.

forward deck, in the little cabin and aft
the pleasant weather the decks are filled with
slumped back at a comfortable angle and con-
versation or pleasant anticipations of the
they are going to make. The little Bar-



"And all the while the dealer was tucking away my twenty he was opening his face to say to the lookout: "That was a pretty girl I seen you with. Put me next."

thold, with an impudent cough into the face of the grim monitor lying at anchor near her berth—as though to call the old warrior's attention to the bunch of "easy marks" she's got on board, goes gaily swaggering down stream toward the Ark. The company of pilgrims bubbles with good humor. Though strangers all, they mingle genially, joyously, filled with the exaltation of anticipated winnings and the unreasoning confidence of those bitten with the lust of gaming. Most of the cargo is composed of business men and government clerks, for the Ark is not much frequented by the professional sport.

A youth whose cap, sweater and concealer proclaim the college student, tells how he came over from the university on pretext to see his dear old aunt. Whereat every one laughs. A brawny young giant whose hands denote hard labor and his raiment a modest income, seizes opportunity to inform the company that the cigar he is smoking is a perfecto and cost a quarter. "Somebody must a-given it to you," remarks a man from the corner. Whereat everybody laughs again. Everybody laughs at everything on that down trip. It is the short, quick laugh of the nervous. And so, rich in hope, the boatload of gamblers glides down the river.

THE approach to the Ark is not an inviting one. Lying out there in the shallow mud flats a mile from either shore the long, low, drab-colored frame of the building would suggest anything but the abode of sport and pleasure. The flat expanse of side wall, occasionally pierced here and there with narrow slits of windows, gives the structure the appearance of a floating prison. Dusk is falling over the river and a more inhospitable prospect of entertainment never offered itself than that of the bleak building, floating lonely there in the waste of waters, vacant of every sign of human life.

Stepping off upon the narrow porch the crowd opens the door, and there bursts upon it a transformation scene as startling as a spectacular drama. In an instant one finds himself transported from the silent gray dusk of evening into a spacious hall, lapped in soft airs and bathed in the glow of a hundred electric lights set in the ceiling, their brilliancy tempered by that haze of tobacco smoke that always means man's fun to men. Down the length of the hall run two tables, glistening with thousands of shining buttons, and seated there are more than a hundred men, each leaning restly upon a card lying before him.

gazing raptly. It is the antechamber of the temple, the keno room, and the hundred men sitting there are the devotees. On a platform—now, this was the altar of the keno rite at which the multitude worshipped—sat a man in his shirt sleeves, the priest, as it were. Revolving upon an axle that pierced its center and rested in two uprights set on a table in front of him was a huge wooden egg. At one end of the egg was a beak. The device was what is called professionally a "goose," the chief apparatus in keno. The man behind the goose seized the beak, gave it a flip and away the goose flew, whirling about its axle, rattling like hail on the window. Inside it were ninety balls, numbered consecutively. Suddenly the beak of the whirling goose,

gave it a twist, and one of the balls dropped out into his hand.

"'For-r-ty-f-ive!'" bellowed the priest at the altar in a voice like Bashan's bulls, while the smoke ocean swayed fantastically about him under the stress of that tremendous tongue. Through the hall runs a staccato clicking as the players lucky enough to have that number on their ears cover it with the shining buttons. A vicious yank at the goose's break and away it goes whirling again. The priest abstracts another ball, shouts forth its number, and again the buttons click. As number after number is called the interest waxes intense. The player who first gets five numbers in a row on his card wins the pot, to which each man has contributed twenty-five cents, less Jack Heath's percentage. Already now many have four, and each number called increases these. In breathless expectancy the players hang on the lips of the caller; one little ball is now worth its weight in gold. The goose is about to lay a golden egg!

"'Fii-ftee-eeen!" calls the high priest, and the windows quiver with the sound.

"'Keno!" yells a man with a celluloid collar, pounding the table with both fists till the buttons dance like marionettes. A groan shudders through the hall, the tragic expression of disappointment of every other player. One has heard just the same groan before—when Mark Antony shows dead Caesar's wounds to the Roman populace!

This keno room is the front of the suite of gaming rooms on the Ark. Through an open door one enters the roulette room, where half a dozen busy wheels are rapidly increasing the assets of Mr. Jack Heath and depleting the visible wealth of his visitors. In the next room one may quench his thirst for gambling at any one of the three faro tables in action there—if indeed he is able to push through the mass of players, six deep, that presses around. Behind this room is one devoted to hazard, plebeian craps and other forms of dice games, while still another room beyond is devoted to poker, both draw and stud. If gambling devices and appliances be the essentials of a well-ordered house then Mr. Jack Heath's Ark has all the comforts of home.

STILL farther back on board this floating Monte Carlo of Washington there is a dainty little restaurant, where all the delicacies beloved by epicures are served. The next room is a lounging room, dignified by the name "library," wherein one may ensconce himself in a comfortable armchair beside a table covered with all manner of horse and prize-fighting "literature." A barroom, resplendent with mahogany, paintings, mirrors and glittering glassware, completes the tale of the Ark, unless one should mention the complete heating and electric lighting plant in the rear. It is like an oyster, this Ark, with its rough, crusty exterior concealing so much that appeals to the educated appetite of man.

And an orderly place it is, withal. Drinks are frequent, but drunkenness is not visible and there is no sound louder than the low hum of conversation, the purring whirr of the roulette ball spinning around the wheel and the innumerable clickings of the buttons

as they are slapped upon the keno cards—always excepting the hoarse bray of the priest at the goose as he bellows forth the numbers.

In one of the chairs ranged against the wall sat the giant of the perfecto, the picture of gloom. He was utilizing the last quarter-inch of that cigar by holding it on the point of a pin, sucking the last whiffs. His experience had been short and tragic; thus he unbosomed himself:

"Say, I thought I was a high roller," he sighed to a good Samaritan from whom he borrowed a match, "but I'm nothing but a seven-spot, that's all; neither high nor low and not worth a darn for game. I've been crimping on carfare and skipping my ten-cent lunch for three months so's I could hipe up enough out of my salary in the government printing office to come down here and show this boatload of tinhorns what the real thing looked like. When I got on the boat up in Washington a while ago I had fifty dollars in money; I'd bought this 25-cent cigar to sorter hipe up to that wad. Soon as I landed here just now I headed for the faro games; thought I'd make them pikers lung out their eyes when I got to rolling high with that fifty.

"I settled on a dealer who was lounging carelessly behind his box, sitting on the small of his back, with his hat tilted over his face so's you couldn't see a feature, but the end of a stogie sticking out. Old boy, thinks I, I'll introduce a jolt into them easy circumstances that'll make you sit up and ask how many was killed in the explosion; you'll date things from tonight after this.

"With that I blew a cloud of smoke under his hat and lightly tossed a ten-dollar bill on the lay-out. I wanted a stack of chips, but before I could speak the dealer growled out 'High card!' and dropped the bill on that spot. It took my breath away, this betting \$10 on one turn, but I came back at him with 'Sure; I ain't no penny-piker from Alexandria,' and let her set. I didn't want him to think me a cheap snake. Just then he turned the cards and they fell, nine-⁴ix."

The dealer harpooned the bill and dropped it into the cash drawer as unconcerned as if it was a postage stamp. I was mad some then, seeing my ten gone in just seven seconds, so I pulled out one of the two twenties I had left and flung it over to him. 'High card?' he asked.

"'Course," I answered. "I don't play no chicken feed game." But before I got the words out hardly he turned a queen and a five-spot and was stuffing that twenty in the till.

"There I was, thirty out in half as many seconds! It all came so fast that I didn't really catch on to what was happening. Next think I knew my last twenty was settling on the high card and the dealer was pulling the cards out of the box. First come a deuce, and I felt good, for there wasn't but one card in the thirteen that was lower. But while I was shaking hands with myself that very card—the ace—came creeping out o' the box, and the next minute that twenty had joined the rest o' my roll—and there I was, a busted four-flusher, without even carfare home.

"It ain't so much the losing of the money that makes me feel like jumping overboard, but during the

whole time I was plunging there with my three months' wages that dealer, whose whole idens of life I was going to unhinge, sat there and never once looked up from under that hat to see what sport was getting so reckless with his money. That's what's making me sore. And what rubbed it in was that while he was tucking away that last twenty he opened his face to the man in the lookout chair with, 'That's a mighty pretty girl I seen you with on the avenue this morning, Jim. Put me next, won't you?' Talking about girls when I was losing twenty dollars a turn! That's how much of a dent I was making in him! I'm going to stick to playing congressional records on the linotype hereafter. Say, you haven't got the makings of a cigarette on you, have you, Ganj?"

AS the Good Samaritan was solacing the disillusioned printer with a cigar and a soothing prescription at the bar he became engaged in conversation with an entertaining person who introduced himself as Jack Heath, the proprietor. Quenching thirst begets confidences, and Heath, the man of chance, grew reminiscent.

He told of his early struggles as a gambler; of his successes and failures; of obstacles arising in his path that to a man of less determined aim and wholeness of resolution had a hundred times spelled ruin. But from youth he had determined to make a success as a gambler despite fate and the bitter antagonism of sheriffs and state's attorneys on both sides of the river.

At length, it seemed, his energy was rewarded. The rebuffed efforts of his enemies came to naught, and after years of effort and a strict attention to the percentage of the game he, four years ago, found the dreams of his boyhood realized in every detail; in the dense foliage of the woodland on the Virginia bank of the Potomac a couple of miles above Washington, in the very spot where his youthful imagination had pictured it, nestled a gambling place—and Jack Heath was its sole proprietor.

Heath's restless energy was not yet content. The roadway from Washington was long, the river a pleasant waterway. And so to assist the player to a readier divorce from his coin Jack built the little Bartholdi, which, plying between the city and the luxurious deadfall, offered the tempting bait of a free ride on the picturesque river.

Business grew apace, but once again the middle-some minions of the law slipped a fly in the ointment of his success. By strange chance they found a judge who insisted on enforcement of the anti-gambling law. The "Rosslyn joint," as it was widely known, was closed up; solitude reigned where once gaming had thriven merrily, and silence brooded where once had resounded the thunderous calls of the man behind the roose.

But they didn't know Jack Heath. He looked upon this ruin of his life's best efforts much as Newton contemplated the wreck of years of priceless labor by a playful pup, and, like another Newton, Jack Heath, with a soul above disaster, started in to retrieve his fortunes. He looked into the law and over and under it. He planned something to get around it, and having planned, he built it.

It was the Ark, a craft hulking and clumsy to look upon, but one that flits around the law with the dexterity of a swallow, taking advantage of that legal maxim, "when courts fall out nobody knows 'where he's at.'"

When Maryland got her charter as a colony she acquired all the Potomac river to the south, or Virginia shore. Later, she and Virginia granted the District of Columbia to the union, its east boundary line crossing over the mud flats about a mile below Alexandria. About 1845 the United States conveyed the Virginia portion back to that state.

Now there has always been a serious legal doubt as to whether this last conveyance was valid, and, if so, whether Virginia thereby reacquired dominion to the middle of the river channel, in accordance with the common law, or merely to its own shore line, in accordance with the terms of the Maryland charter. There are two puzzles.

It is also another legal question as to the respective jurisdiction of the state and federal courts of Maryland and Virginia over non-maritime matters arising on the river. That's a third puzzle. Furthermore, Virginia and the District of Columbia are in continual war over their respective jurisdictional rights on that portion of the river west of the boundary and south of the channel. There's the fourth puzzle.

THERE are several more conundrums of like character, but these will suffice to give one some idea of the legal maze in which that particular section is entangled.

Seizing the butt-end of this situation Heath fitted out his Ark as a sumptuous gambling house, towed it down the river to the point where the channel intersects the boundary line of the District, cast anchor, opened up, and the while the little Bartholomew, laden with customers, flitted back and forth to and from Washington like a weaver's shuttle, told the Maryland, Virginia and District of Columbia authorities to go hang, and thus for many merry months, which have lengthened into years, he has conducted his business "wide open," with but slight disturbance from court or constable, for all realize what a muddle of interminable hawing the matter would degenerate into should it ever be stirred up. Prosecuting attorneys shudder at the thought. To this mass of legal tangle Heath stands ready to add a deal of disputed facts. His Ark is always cunningly anchored within close proximity to the channel and boundary intersection—now in Maryland, now in Virginia, and now again in the District. If she happens to be lying inside the District line and the officers from Washington attempt a descent upon her, the anchor is up in a trice and in thirty seconds the boat has drifted or been poled across the line into Maryland or Virginia, beyond the power of the designing officials. If the narrow-minded sheriffs of Virginia or Maryland strive to make things unpleasant, back across the danger line the old craft flits—and meantime the merry games go on without interruption! Such a complication of law and fact has at length filled prosecutors with wearied disgust, and Heath's enterprise is now regarded as one of the solid and permanent businesses of the river, ranking with the soft crab and watermelon industries.